



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,966	05/10/2001	Masami Hirose	NEC01P068-Tse	4092

30743 7590 09/22/2005

WHITHAM, CURTIS & CHRISTOFFERSON, P.C.
11491 SUNSET HILLS ROAD
SUITE 340
RESTON, VA 20190

EXAMINER

HU, JINSONG

ART UNIT	PAPER NUMBER
----------	--------------

2154

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/851,966

Applicant(s)

HIROSE ET AL.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7,10,13,16,19,20,23 and 45 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,7,10,13,16,19,20,23 and 45 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 7, 10, 13, 16, 19, 20, 23 and 45 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 7, 10, 13, 16 and 45 are rejected under 35 U.S.C. 102(e) as being Applicant Admitted Prior Art (hereinafter as AAPA).

4. As per claim 1, AAPA teaches the invention as claimed including an electronic information transmission method wherein designating a prescribed area on an information page that is supplied from a communication means that is connected to a plurality of terminals causes an information transmission page for creating and/or transmitting desired information to be displayed on a said terminal, and said desired information is transmitted to a desired transmission destination using said information transmission page; said electronic information transmission method [Spec., p. 1, line 10

– p. 2, 11; p. 3, lines 1-6] comprising displaying information on said information page that allows said transmission destination to be identified, confirmed or selected, designating said transmission destination by designating said information; displaying on said terminal an information transmission page in which the destination is set to said transmission destination responsive to the designating step [Spec., p3, lines 1-6, p.4, lines 10-16]; and transmitting said desired information to said transmission destination using said information transmission page [Spec., p. 3, lines 7-10; p.4, lines 17-20].

5. As per claims 7, 10, 13 and 16, AAPA teaches the transmission destination to be identified, checked, or selected is a picture of the person or a mark that can specify, a business organization that is the transmission destination, and wherein the destination of said desired information is specified by designating said picture, name, or mark [Spec., p. 3, lines 1-6 & 11-20; p. 4, lines 10-20].

6. As per claim 45, since it is an apparatus claim of claim 1, it is rejected for the same basis as claim 1 above.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 19-20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter as AAPA) as applied to claims 1, 7, 10, 13, 16 and 45 above.

9. As per claims 19-20 and 23, AAPA teaches the invention substantially as claimed in claim 1. AAPA does not specifically teach designating any position on the page on that allows said transmission destination to be identified, checked, or selected and allowing identification of the sender is appended to said desired information. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add these two functions in AAPA's system because doing so would bring convenience to users. One of ordinary skill in the art would have been motivated to modify AAPA's system to attract more customers.

Conclusion

10. Applicant's arguments filed on 6/27/05 for claims 1, 7, 10, 13, 16, 19, 20, 23 and 45 have been fully considered but they are not deemed to be persuasive.

In the remarks, applicant argued in substance that AAPA does not teach designating said transmission destination by designating said information and displaying on said terminal an information transmission page in which the destination is set to said transmission destination responsive to the designating step.

Art Unit: 2154

11. Examiner respectfully traverses applicant's remarks:

Applicant fails to consider the teaching of the AAPA for clicking an area of the home page to intend send a mail to the creator of the home page [i.e., designating said transmission destination by designating said information] and bring out a e-mail transmission page displayed on the terminal, which the transmission destination is set to the home page creator, the user only need to enter the content for the e-mail [i.e., displaying on said terminal an information transmission page in which the destination is set to said transmission destination responsive to the designating step][Spec. p. 4, lines 1-6 and 10-17]. Thus, AAPA does teach the limitation in claim 1.

Accordingly, AAPA is still a relevant prior art reference.

12. THIS ACTION IS MADE FINAL. See MPEP §706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

13. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2154

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965.


The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

September 16, 2005


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100